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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,153	08/26/2003	Timothy J. Collins	CML01464M	7078

22917 7590 12/28/2006

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EXAMINER	
AGWUMEZIE, CHARLES C	
ART UNIT	PAPER NUMBER
3621	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/650,153	COLLINS ET AL.	
	Examiner	Art Unit	
	Charlie C. Agwumezie	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/10/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18, are rejected under 35 U.S.C. 102(b) as being anticipated by Halperin et al U.S. Patent No. 6,226,619.

As per **claims 1, and 10**, Halperin et al discloses a method for determining if an item is a fraudulent item, the method comprising the steps of:

obtaining a first number associated with the item or item's packaging (fig. 1; "... number read from the tag with number on the serial number on the label...");

obtaining a second number associated with the item or item's packaging (fig.1; "label serial number");

utilizing a cryptographic process and the first number to cryptographically verify the second number (col. 5, lines 50-65; "...verifying...the number read from the tag with a number on the serial number on the label..."); and

determining the product's authenticity based on the verification (col. 5, lines 50-65).

As per **claim 2**, Halperin et al further discloses the method wherein the step of

obtaining the fist number comprises the step of obtaining the first number from an RFID tag associated with the item or the item's packaging (fig. 1).

As per **claim 3**, Halperin et al further discloses the method wherein the step of obtaining the second number comprises the step of determining a cryptographic signature printed on the item or the item's packaging (fig. 1; col. 4, lines 30-40; col. 7, lines 10-15).

As per **claim 4**, Halperin et al further discloses the method wherein the step of utilizing the cryptographic process comprises the step of utilizing a public key and the first number to verify the second number (col. 4, lines 30-40; col. 5, lines 50-65).

As per **claim 5**, Halperin et al further discloses the method wherein the step of determining the products authenticity comprises the step of associating the product with an authentic product if the signature is verified, otherwise associating the product with a forged product (fig. 1; col. 4, lines 30-40; col. 7, lines 10-15; col. 7, line 65-col. 8, line 10).

As per **claim 6**, Halperin et al further discloses a method of manufacturing a product in order to prevent forgery, the method comprising the steps of:

obtaining a tag comprising a first number (fig. 1; "... number read from the tag with number on the serial number on the label...");

determining a second number utilizing the first number and a cryptographic process, wherein cryptographic verification of the second number insures the product's authenticity (fig.1; "label serial number");

affixing the first number to either the product or the packaging associated with the product (fig. 1; col. 2, lines 45-55); and

affixing the second number to either the product or the packaging associated with the product (fig. 1).

As per **claim 7**, Halperin et al further discloses the method wherein the step of obtaining the tag comprising the first number comprises the step of obtaining an RFID tag comprising a unique, or semi-unique unalterable number (fig. 1; col. 4, lines 5-15).

As per **claim 8**, Halperin et al further discloses the method wherein the step of affixing the second number to either the product or the packaging associated with the product comprises the step of printing a cryptographic signature on the product or the product's packaging (col. 4, lines 30-45; col. 7, lines 5-15).

As per **claim 9**, Halperin et al further discloses the method wherein the step of determining the second number utilizing the first number and a cryptographic process comprises the step of utilizing the first number and a private key to generate the second number (col. 4, lines 25-40).

As per **claim 11**, Halperin et al discloses a method comprising the steps of:

obtaining an RFID tag comprising a first number (fig. 1);

utilizing a private key and the first number to create a second number such that cryptographic verification of the second number insures a product's authenticity (col. 1, lines 55-60; col. 4, lines 30-40);

and

affixing the second number and the RFID tag to the item or the item's packaging (fig. 1; col. 2, lines 45-55).

As per **claim 12**, Halperin et al discloses an RFID tag comprising:

a first portion comprising product identification information (fig. 1); and

a second portion comprising an unalterable random or semi-random number, wherein the unalterable random or semi-random number is utilized along with a cryptographic signature to verify a products authenticity (col. 1, lines 55-60).

As per **claim 13**, Halperin et al further discloses the RFID tag wherein the first portion comprises a product code or a serial number or a manufacturer code (fig. 1; col. 1, lines 55-60).

As per **claim 14**, Halperin et al further discloses the RFID tag further comprising the cryptographic signature (col. 7, lines 10-15).

As per **claim 16**, Halperin et al further discloses a product scanner comprising:

an RF tag reader outputting contents of an RF tag (fig. 1);

a scanner outputting a cryptographic signature (col. 7, lines 10-15); and

logic circuitry having the contents of the RF tag and the cryptographic signature as an input and outputting information as to whether an item is a forgery (fig. 2; col. 2, lines 45-55).

As per **claim 16**, Halperin et al further discloses the product scanner wherein the logic circuitry utilizes a public key and cryptographic operations to verify the cryptographic signature (col. 4, lines 25-40; col. 5, lines 50-65; col. 7, lines 5-15).

As per **claim 17**, Halperin et al discloses an apparatus comprising:

an RF reader outputting contents of an RF tag (fig. 1; col. 5, lines 50-65);

logic circuitry having the contents of the RF tag as an input and outputting a cryptographic signature (fig. 1 and 2; col. 2, lines 45-55); and

printing circuitry having the cryptographic signature as an input and printing the cryptographic signature upon an item or packaging (fig. 1; col. 7, lines 5-15).

As per **claim 18**, Halperin et al further discloses the apparatus further comprising: an RF writer outputting product information for the item to the RF tag (col. 4, lines 45-55).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on **(571) 272 – 6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(571) 273-8300. [Official communications; including After Final communications labeled "Box AF"].

(571) 273-8300. [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"].

Hand delivered responses should be brought to the United States Patent and Trademark Office Customer Service Window:

Randolph Building,

401 Dulany Street

Alexandria VA. 22314

Charlie Lion Agwumezie
Patent Examiner
Art Unit 3621
December 14, 2006

KAMBIZ ABDI
PRIMARY EXAMINER